IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 1148 of 1995

Between:

Smt. Khariunnisa Begum, W/o Late Sri Syed Abdul Razaaq,
R/o Hyderabad.

..... PETITIONER

AND

1 The Chairman & Managing Director,
State Bank of India, Central, Nariman Pt., Bombay.
2 The Chief General Manager, State Bank of India,

Local Head Off: Bank street, Koti, Hyderabad.
3 The Asst. General Manager, Office Administration Dept.,

State Bank of India, Local Head Off:Bank Street, Koti, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ in the nature of Mandamus or any other appropriate writ or direction or order declaring the in action of the respondents in not paying the death benefits to me as being illegal, improper, unjust, arbitrary and apposed to the Principles of natural justice.

Counsel for the Petitioner: MRS.A.MALATHI (not present)

Counsel for the Respondent No.: MR.M.NARENDER REDDY

The Court made the following:

ORDER:

This writ petition is filed to declare the action of the respondents in not paying the death benefits to the petitioner as illegal.

2. The case of the petitioner is that her husband was working in the State Bank of India as Watchman and he died while in service. Therefore, she claimed that the entire amount of Rs.32,453-55 ps should be paid to her.

3. While admitting the writ petition, this Court granted an interim order permitting the petitioner to withdraw her own share and as regards the share of the minors, it was directed that the same should be kept in fixed deposit and she was also permitted to take interest arising on the said fixed deposit for every six months.

4. The learned counsel for the petitioner is not present and no representation was made on his behalf. I have heard the learned counsel for the respondents.

5. Inasmuch as the share of the petitioner was already withdrawn by her, the question of claiming entire amount does not arise.

6. Therefore, the writ petition is dismissed. However, the share of three minor children, which was directed to be in fixed deposit, shall be released to them on attaining majority. No costs.

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G.BIKSHAPATHY, J

Dated 07th October, 2004.

YCR/KVRM

To

1 The Chairman & Managing Director,
State Bank of India, Central, Nariman Pt., Bombay.
2 The Chief General Manager, State Bank of India,
Local Head Off: Bank Street, Koti, Hyderabad.
3 The Asst. General Manager,
Office Administration Dept., State Bank of India,
Local Head Off: Bank Street, Koti, Hyderabad.

4. 2 C.D. copies.